



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.4756 of 2018

A. Rukkumani

... Petitioner

-Vs-

1.The Accountant General,
Office of the Accountant General,
(Accounts and Entitlement),
Chennai - 600 018.

2.The Seed Testing Officer, (STL),
Office of the Seed Testing Officer,
Madurai,
Madurai District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the entire records connected with the impugned order in கடித எண். அ/160/2018, dated 19.02.2018 passed by the 2nd respondent and quash the same as illegal consequently to direct the respondents to pay all the service, terminal, death and other benefits of the petitioner's younger brother by name V. Sethupathi, lab helper, working under the second respondent, to the petitioner as per the entries made in her younger brother's service registrar and the legal heir certificate within the time stipulated by this Court.

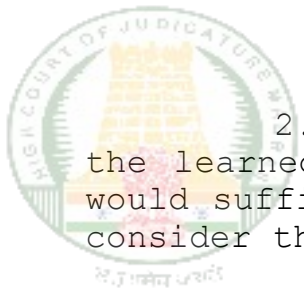
For Petitioner : Mr.I.Sabeer Mohamed

For R1 : Mr.P. Gunasekaran

For R2 : Mr. S. Angaappan

ORDER

This Writ Petition has been filed to quash the impugned order dated 19.02.2018, passed by the 2nd respondent and consequently direct the respondents to pay all the service, terminal, death and other benefits of the petitioner's younger brother by name V. Sethupathi, who was working under the second respondent as lab helper.



2. However, when the matter was taken up for consideration, the learned counsel appearing for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to consider the representation of the petitioner dated 27.02.2018.

3. The learned counsel appearing for the respondents fairly submitted that the petitioner's case would be considered, if an undertaking is given by the petitioner to the effect that if the entire benefits are sanctioned, the same would be repaid, if any rival claim is placed before the authorities to that extent.

4. Agreeing to file one such undertaking, the learned counsel appearing for the petitioner submitted that the petitioner would place the same before the second respondent within a week's time.

5. In view of the above said submissions, the petitioner is directed to submit an undertaking as stated above before the second respondent, within a week from the date of receipt of a copy of this order and on such submission, the second respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law within a period of four weeks, thereafter.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar(CS)

1.The Accountant General,
Office of the Accountant General,
(Accounts and Entitlement),
Chennai - 600 018.

2.The Seed Testing Officer, (STL),
Office of the Seed Testing Officer,
Madurai,
Madurai District.

+1 CC to M/s.I.SABEER MOHAMED, Advocate (SR-58725[F] dated 03/04/2019)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-59053[F] dated 04/04/2019)

+1 CC to M/s.SPL GP (SR-59264[F] dated 05/04/2019)

W.P(MD) No.4756 of 2018

CS: 14/05/2019/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>